

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

FILED
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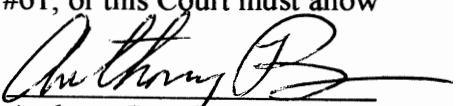
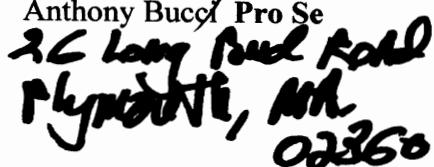
UNITED STATES) 2006 APR 28 A 11:28
)
v.) U.S. DISTRICT COURT
ANTHONY BUCCI) DISTRICT OF MASS.
)

**DEFENDANT BUCCI'S OBJECTIONS TO MISAPPLICATION OF
UNAPPROVED LOCAL RULE 7.1(B)(4) MEMORANDUM PAGE LIMIT
TO AN APPROVED CRIMINAL RULE 33 NEW TRIAL MOTION WITH
INCORPORATED MEMORANDUM NOT EXCEEDING JUDGE
LINDSAY'S STANDARD HOLMES V. PEPE 40 PAGE PLEADING LIMIT,
OR FOR NUNC PRO TUNC LEAVE TO FILE 36 PAGE MOTION**

Now comes the defendant, objecting to the unconstitutional April 25, 2006 return of his timely filed Fed. Crim.P. Rule 33 new trial motion, where Rule 33 does not contain a page limit and has been approved by the only congressional authorized body, the Supreme Court, pursuant to 28 USC 2072, and local rule 7.1(B)(4) does not contain a page limit for a new trial motion but only limits memoranda to 20 pages, was intended for civil cases not criminal cases, has not been approved by the Supreme Court as required by 28 USC 2072, and the 36 pages fell within the normal up to 20 page motion, 20 page memo, Lindsay,J forty (40) page limit which, when liberty is at stake resulted in Judge Lindsay allowing a motion requesting local rule 7.1 to be held unconstitutional in a habeas corpus post-conviction posture, Holmes V. Pepe.

RESPECTFULLY SUBMITTED,
#00- -RCL 4/8/02 allowing 44 pages docket entry #61; or this Court must allow nunc pro tunc filing of the 36 page motion.

April 26, 2006 copy served on AUSA's S.Thodore Merritt & John McNeil by mail


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